

**FILED**

**JUL 12 2018**

Clerk, U.S. District Court  
District Of Montana  
Great Falls

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**ATTORNEY FOR PLAINTIFF  
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**WILFRIDO VARELAS-RUBIO,  
STEVEN WILLIAM AMUNDSON,  
and GARY HOLLISTER  
AINSWORTH,**

**Defendants.**

**CR 18-88 -BLG-SPW**

**INDICTMENT**

**CONSPIRACY TO POSSESS WITH  
INTENT TO DISTRIBUTE  
METHAMPHETAMINE  
(Count I)**

**Title 21 U.S.C. § 846  
(Penalty for Count I: Mandatory minimum  
ten years to life imprisonment, \$10,000,000  
fine, and at least five years supervised  
release)**

**POSSESSION WITH INTENT TO  
DISTRIBUTE METHAMPHETAMINE  
(Count II)**

**Title 21 U.S.C. § 841(a)(1)  
Title 18 U.S.C. § 2  
(Penalty for Count II: Mandatory  
minimum ten years to life imprisonment,  
\$10,000,000 fine, and at least five years  
supervised release)**

	<p><b>POSSESSION OF A FIREARM IN FURTHERANCE OF A DRUG TRAFFICKING CRIME</b>  <b>(Count III)</b>  <b>Title 18 U.S.C. § 924(c)</b>  <b>(Penalty: Mandatory minimum five years to life imprisonment, consecutive to any other sentence, \$250,000 fine, and five years supervised release)</b></p> <p><b>PROHIBITED PERSON IN POSSESSION OF A FIREARM</b>  <b>Title 18 U.S.C. § 922(g)(1)</b>  <b>(Count IV)</b>  <b>(Penalty: Ten years imprisonment, \$250,000 fine and three years supervised release)</b></p> <p><b>POSSESSION OF AN UNREGISTERED FIREARM</b>  <b>Title 26 U.S.C. § 5861(d) (Count V)</b>  <b>(Penalty: Ten years imprisonment, \$10,000 fine and three years supervised release)</b></p> <p><b>FORFEITURE</b>  <b>Title 21 U.S.C. § 853(a)(1) and (2)</b>  <b>Title 18 U.S.C. § 924(d)</b></p>
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**THE GRAND JURY CHARGES:**

**COUNT I**

That beginning on approximately April 11, 2018, and continuing until on or about June 15, 2018, at Billings and within Yellowstone County, in the State and District of Montana, and elsewhere, the defendants, WILFRIDO VARELAS-RUBIO, STEVEN WILLIAM AMUNDSON, and GARY HOLLISTER AINSWORTH, knowingly and unlawfully conspired and agreed with each other

and with other persons, known and unknown to the Grand Jury, to possess with the intent to distribute, in violation of 21 U.S.C. § 841(a)(1), 50 grams or more of actual methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 846.

#### COUNT II

That beginning on approximately April 11, 2018, and continuing until on or about June 15, 2018, at Billings and within Yellowstone County, in the State and District of Montana, and elsewhere, the defendants, WILFRIDO VARELAS-RUBIO, STEVEN WILLIAM AMUNDSON, and GARY HOLLISTER AINSWORTH, knowingly possessed, with the intent to distribute, 50 grams or more of actual methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

#### COUNT III

That on or about April 11, 2018, at Billings and within Yellowstone County, in the State and District of Montana, the defendant, GARY HOLLISTER AINSWORTH, knowingly possessed a firearm in furtherance of drug trafficking crimes that may be prosecuted in a court of the United States, namely conspiracy to possess with intent to distribute methamphetamine, and possession with intent to distribute methamphetamine, as alleged in counts I and II above, in violation of 18 U.S.C. § 924(c)(1)(A)(I).

#### COUNT IV

That on or about April 11, 2018, at Billings and within Yellowstone County, in the State and District of Montana, the defendant, GARY HOLLISTER AINSWORTH, having been convicted on or about May 28, 2015, of a crime punishable by imprisonment for a term exceeding one year under the laws of the State of Montana, knowingly possessed, in and affecting interstate commerce, firearms, namely a Remington, model 870 Magnum, 12-gauge, pump-action shotgun (S/N: RS31888T), and a Taurus, model PT111 G2, 9mm, semi-automatic pistol (S/N: TJN01557), in violation of 18 U.S.C. § 922(g)(1).

#### COUNT V

That on or about April 11, 2018, at Billings and within Yellowstone County, in the State and District of Montana, the defendant, GARY HOLLISTER AINSWORTH, knowingly possessed a Remington, model 870 Magnum, 12-gauge, pump-action shotgun (S/N: RS31888T), having a barrel of less than 18 inches in length, which was not registered to the defendant in the National Firearms Registration and Transfer Record, in violation of 26 U.S.C. § 5861(d).

#### FORFEITURE ALLEGATION

Upon conviction of the offenses set forth in counts I and II of this indictment, the defendants, WILFRIDO VARELAS-RUBIO, STEVEN WILLIAM AMUNDSON, and GARY HOLLISTER AINSWORTH, pursuant to 21 U.S.C.

§ 853(a)(1) and (2), shall forfeit to the United States, any property constituting or derived from any proceeds obtained directly or indirectly as a result of the violations and any property used or intended to be used in any manner or part to commit or to facilitate the commission of counts I and II, including but not limited to the following:

- approximately \$6,900.00 in United States Currency; and
- a 2006 Buick Lucerne, VIN 1G4HP57266U205516, AZ license plate A71B91.

The United States shall be entitled to forfeiture of substitute property, pursuant to 21 U.S.C. § 853(p), if any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty.

Upon conviction of any of the offenses set forth in counts III, IV and V of this indictment, the defendant, GARY HOLLISTER AINSWORTH, shall forfeit to

the United States, pursuant to 18 U.S.C. § 924(d), any firearms and ammunition used in the knowing commission of said offenses, including:

- a Remington, model 870 Magnum, 12-gauge, pump-action shotgun (S/N: RS31888T); and
- a Taurus, model PT111 G2, 9mm, semi-automatic pistol (S/N: TJN01557).

A TRUE BILL.

Foreperson signature redacted. Original document filed under seal.



KURT G. ALME  
United States Attorney

for:   
JOSEPH E. THAGGARD  
Criminal Chief Assistant U.S. Attorney

Crim. Summons \_\_\_\_\_

Warrant: ✓ - Ainsworth

Bail: \_\_\_\_\_

In Fed. Custody - Varelas-Rubio  
Amundson

Arraignment 7/16/18 @ 9AM  
Judge Caven-Blas